

REMARKS

Claims 1-29 are pending in the present application. By this Amendment, Applicant adds new claims 21-29.

Claims 1-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Callway (U.S. Patent No. 6,184,861) (“Callway”). Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Callway. Claims 10-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Callway in view of Saito *et al.* (U.S. Patent No. 5,315,695) (“Saito”). Claims 12-15, 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Callway in view of Saito *et al.* and further in view of Zhang *et al.* (U.S. Patent No. 5,461,397) (“Zhang”). Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant adds new claims and submit the following arguments in traversal of the prior art rejections.

Applicant’s invention relates to an image display for medical diagnoses. Applicants refer the Examiner to the detailed description of the invention in the May 29, 2002 Amendment under 37 C.F.R. §1.111 and to the description of Callway in the February 3, 2004 Amendment under 37 C.F.R. §1.111.

Rejection of Claims 1-9 under § 102(e) by Callway

Applicant respectfully submits that claim 1 is patentable because Callway fails to disclose or suggest a “*display device, having . . . an image maximum luminance for displaying an image*”

and an ordinary maximum luminance for displaying non-image information,” in combination with other elements of the claim. In the Office Action, the Examiner points out Fig. 1, column 1, lines 26-51, and column 2, line 7 to column 3, line 62 of Callway as allegedly teaching the claimed image maximum luminance and the claimed ordinary maximum luminance. The reference, however, discloses that the “DAC generates different scaled analog outputs (e.g., 0-0.7 volts for graphics data, 0 to 1.4 volts for video data) depending on the data processed,” column 2, lines 23-25, and the DAC is disclosed as being *separate* from the display 44. Therefore, there is nothing in the reference which discloses or even suggests the display 44 as having any sort of two different maximum luminance levels as claimed. Rather, Callway suggests a simple display which does not discriminate between image data or non-image data since the DAC 20 scales the image data before the image data is received by the display 44 (Fig. 1).

In addition, Applicant submits that Callway discloses the intensity scaling of image data. By scaling the image data, “the intensity of video data is effectively multiplied by the ratio of the two reference levels (e.g., doubled) with respect to the intensity of the graphics data.” Col. 2, lines 54-56. This would result in the increase in the intensity value of all aspects of the video data. Such scaling is entirely different from having an image *maximum* luminance and an ordinary *maximum* luminance values as recited in the claim.

Moreover, the voltage levels refer to the *intensity* levels which do not disclose or suggest *luminance*. Rather, luminance has units of candela/m² and Callway fails to disclose or suggest an image maximum luminance and an ordinary maximum luminance as claimed.

For at least the above reasons, Applicant submits that claim 1 is patentable.

Applicant submits that claims 2-9, which depend from claim 1, are patentable for at least the reasons submitted for claim 1.

Alternatively, or in addition, claims 3 and 4 are patentable because Callway fails to disclose or suggest a display device having a luminance adjusting unit (claim 3) or a luminance switching unit (claim 4), as claimed. Rather, the intensity adjusting circuit 16 cited by the Examiner is separate from the display 44.

Rejection of Claim 19 under § 103(a) over Callway

Claim 19, which depends from claim 1, is patentable for at least the reasons submitted for claim 1.

Alternatively, or in addition, Applicant submits that although Callway teaches certain voltage ranges for intensity of video data, the reference fails to teach, suggest, or provide motivation for the claimed ranges. In the Office Action, the Examiner argues that the ranges of image maximum luminance and ordinary maximum luminance are matters of design choice. However, the reference does not even provide any luminance ranges from which one skilled in the art could even start to “design” for the claimed ranges. In other words, the mere disclosure of voltage ranges does not teach, suggest, or provide motivation for the claimed luminance ranges, especially when there is nothing in the reference which associates the voltage ranges to any luminance values.

Rejection of Claims 10-11 under § 103(a) over Callway in view of Saito

Saito relates to a battery operable personal computer where a power supply circuit controls the value of the luminance control signal to be supplied to the display unit. Applicant

submits that claims 10 and 11, which depend from claim 1, are patentable for at least the reasons submitted for claim 1 and because Saito fails to make up for the deficiencies of Callway.

Rejection of Claims 12-15, 17 and 18 under § 103(a) over Callway in view of Saito and further in view of Zhang

Zhang relates to a display device containing an LCD light shutter front end to modulate light transmittance and a substantially flat glass discharge back end unit containing multiple gas discharge tunnels. This back end unit as part of a backlight unit, allows color light pulses to be generated in synchronization with the scanning operation of the front end unit.

Claims 12-15, 17, and 18, which depend from claim 1, are patentable for at least the reasons submitted for claim 1 and because Saito and Zhang fail to make up for the deficiencies of Callway.

New claims 21-29 are patentable for at least the reasons submitted for their respective base claims. Moreover, the new claims are independently patentable for the features recited therein. For example, claim 27 is patentable because none of the cited references disclose or suggest wherein the display screen simultaneously displays the image and the non-image information and a luminance switching unit which switches a brightness of display in an entire display screen to either adjustment depending on said ordinary maximum luminance or adjustment depending on said image maximum luminance.

In addition, claim 28 is patentable because none of the cited references disclose or suggest a luminance switching unit which switches the brightness of the display in the entire

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display screen depending on if a means for pointing shown in the display screen is at an image area or at a non-image information area of the display screen.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

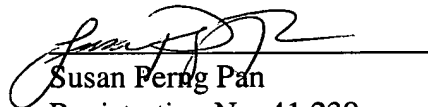
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